



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,245	12/29/2000	Sung-Hoon Baek	51876p219	8804

8791 7590 05/20/2004

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

BRANCOLINI, JOHN R

ART UNIT	PAPER NUMBER
----------	--------------

2153

DATE MAILED: 05/20/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

09/753,245

Applicant(s)

BAEK ET AL.

Examiner

John R Brancolini

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 3,8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2153

DETAILED ACTION

Claims 1-8 are pending in the application.

Priority

Priority has been claimed to Korean application number 2000-54807. The effective filing date of the application is September 19, 2000.

Information Disclosure Statement

The information disclosure statement (IDS) was submitted on December 29, 2000. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

Figures 1, 2 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 450, 490.

Art Unit: 2153

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

Fig 1, items 100, 101, 120, 121, 130, 150, 151.

Fig 2, items 220, 223, 240.

Fig 3, items 310, 311, 320, 321, 330, 331, 340.

Fig 5, items 500, 501, 502, 503, 504, 505, 530.

Fig 6, items 600, 601, 602, 603, 604, 605.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 3 and 8 are objected to because of the following informalities: The phrasing "constructed by a pair". The intended meaning of the phrase is uncertain to the examiner, and for reference purposes in the application of prior art, the examiner is interpreting the phrase to mean "constructed in pairs". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Lui et al. (US Patent 5812754), hereinafter referred to as Lui.

In regards to claim 1, Lui discloses an apparatus for a redundant interconnection between multiple hosts and a RAID, comprising:

- A plurality of RAID controlling units for processing a requirement of numerous host computers (Figure 3 shows items 302 A and B, separate RAID controllers).
- A plurality of connecting units for connecting the plurality of RAID controlling units to the numerous host computers (In Figure 3, controller chassis 344 contains a plurality of connecting units, the connections between the local hosts and the host loops, see also col 5 lines 36-40).
- A plural number of network interface controlling units respectively contained into the plurality of RAID controlling units, for exchanging information directly with the numerous host computers and an opposite network interface controlling unit provided within an opposite RAID

controlling units, through the plurality of connecting units (each separate RAID unit interacts directly with a host loop, which in turn communicates directly through a port bypass circuit and a serializer/deserializer for communication with the local host, col 5 lines 24-40).

In regards to claim 2, Lui discloses the respective RAID controlling units are connected to the plurality of individual connecting units (Figure 3 shows several individual connecting units connected to the RAID controlling units, see also col 5 lines 36-40).

In regards to claim 3, Lui discloses each network interface controlling unit is constructed in a pair, namely two, and is contained into the plurality of RAID controlling units, a first network interface controlling unit of said network interface controlling unit being connected to the connecting unit of one side and a second network interface controlling unit thereof being connected to the connecting unit of another side (Figure 3 shows the two separate Raid controllers, each with a host loop which acts as a network interface controlling unit, as discussed in claim 1).

In regards to claim 4, Lui discloses each network interface controlling unit further comprises: the first network interface controlling unit for processing the requirement of the numerous host computers (the first host loop is provided for communication to a local host, col 5 lines 36-38); and the second network

Art Unit: 2153

interface controlling unit used for fault tolerance in a communication between the respective RAID controlling units when the respective RAID controlling units do not have the occurrence of the error, said second network interface controlling unit being for executing a function of the first network interface controlling unit of the RAID controlling unit having the occurrence of the error in case that one given RAID controlling unit has the occurrence of the error (when an error is detected, the control of the network interface function can be switched from the first to the second host loop, thereby insuring the fault tolerance is provided, col 6 lines 11-32).

In regards to claim 5, Lui discloses the plurality of connecting units have connection ports more than three, the two connection ports among them being connected to said network interface controlling unit and the rest connection ports thereof being provided as a hub equipment connected with the numerous host computers (in Figure 3, the connection chassis shows a plurality of connecting units, two of the connection ports being used to connect to the host loops, and the rest used in a hub, or switching manner, for the various host computers).

In regards to claim 6, Lui discloses the plurality of connecting units have the connection ports more than three, the two connection ports among them being connected to said network interface controlling unit and the rest connection ports thereof being provided as a network switch equipment connected with the numerous host computers (in Figure 3, the connection chassis shows a plurality

Art Unit: 2153

of connecting units, two of the connection ports being used to connect to the host loops, and the rest used in a hub, or switching manner, for the various host computers).

In regards to claim 7, Lui discloses the plurality of connecting units have the connection ports more than five, the four connection ports among them being connected to said network interface controlling unit and the rest connection ports thereof being provided as a switch connected with the numerous host computers (in Figure 3, the connection chassis shows a plurality of connecting units, with at least 6 points of connection including the host loops, two of the connection ports being used to connect to the host loops, and the rest used in a hub, or switching manner, for the various host computers).

In regards to claim 8, Lui discloses the RAID controlling unit, the network interface controlling unit and the connecting unit are respectively constructed in pairs, the first network interface controlling unit of a first RAID controlling unit being connected to a first connecting unit, the second network interface controlling unit of said first RAID controlling unit being connected to a second connecting unit, the first network interface controlling unit of a second RAID controlling unit being connected to the second connecting unit, and the second network interface controlling unit of the second RAID controlling unit being connected to the first connecting unit (in Figure 3, one can see that each of the RAID controlling unit, the network controlling unit [the host loop] and the

Art Unit: 2153

connecting unit [the chassis back plane individual connections] are in pairs, and the crossover of the fibre wiring allows for the first set of components to communicate with the second set, see also col 6 lines 11-32 for how the bypasses occur between the component sets in case of an error).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Takita et al. (US Patent 6192485), a redundant apparatus for connection to a controller, the apparatus including an active unit and a stand-by unit for fault tolerance.
- Nguyen et al. (US Patent 6609213), a method for connecting various computers to a hub which leads to a series of RAID drives, the system including a switching mechanism for fault tolerance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (703) 305-7107. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JRB


FRANTZ B. JEAN
PRIMARY EXAMINER